

REMARKS

In the Non-Final Office Action of December 30, 2004, claims 1-40 are pending. Claims 1, 28, 30, 32, and 37 are independent claims from which all other claims depend therefrom. Claims 1, 23, and 28-30 are herein amended.

Claims 1-40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. 6,464,169) in view of Sprenger et al. (U.S. 5,395,075).

Amended claim 1 recites the limitations of a servicing unit that includes a stowage unit and a staircase. The staircase is proximate to the stowage unit and has a stowed state and a deployed state. The stowage unit and the staircase are configured for utilization on a single deck.

The Office Action states that Johnson discloses a stowage unit and Sprenger discloses retractable stairs. Although Johnson discloses an overhead stowage area 14 and Sprenger discloses a movable stair portion 81, the combination thereof does not teach or suggest a servicing unit having a stowage unit and a staircase that are configured for use on a single or the same deck. The stowage area 14 of Johnson is overhead or on an upper deck and the movable stair portion 81 of Sprenger is on a main or lower deck. For example, the servicing monument or unit 7 shown in Figures 1A-B of the present application includes a stowage unit, such as that provided by the second portion 10, or one of the stowage units 56, which are accessible and utilized on the same deck as the staircase 12.

Referring to MPEP 706.02(j) and 2143, to establish a *prima facie* case of obviousness the prior art reference(s) must teach or suggest all the claim limitations, see *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Thus, Applicant submits that Johnson and Sprenger fail to teach or suggest each and every limitation of claim 1, therefore, claim 1 is novel, nonobvious, and is in a condition for allowance. Also, since claims 2-27 depend from claims 1, they are also novel, nonobvious, and are in a condition for allowance for at least the same reasons.

U.S.S.N. 10/708,810

10

04-0072 (BOE 0477 PA)

Amended claim 28 recites the limitations of a staircase that is proximate to a stowage unit and has a stowed state and a deployed state. The staircase is vertically and non-rotatably actuated between states.

The stairway 18 of Johnson is fixed. The movable stair portion 81 of Sprenger is rotatable on a hinge 21, which is coupled to the bottom of an upper deck. The stairway 18 and the stair portion 81 do not move and are not actuated in a vertical manner, such as the staircase 12 of the present application. Thus, both Johnson and Sprenger, alone or in combination fail to teach or suggest each and every element of claim 28. Therefore, claim 28 is also novel, nonobvious, and is in a condition for allowance. Since claim 29 depends from claim 28, it is also novel, nonobvious, and is in a condition for allowance for at least the same reasons.

Amended claim 30 recites the limitations of a staircase having stair elements. One or more of the stair elements corresponds with a staging area platform. For example, the staircase 12 of the present application has a stair element 14 that may be used as a staging area platform. Also, the stair element 14 corresponds with the platform member 16. The stairway 18 of Johnson and the stair portion 81 of Sprenger are not proximate, coupled to, or include a staging area platform. Thus, Johnson and Sprenger also fail to teach or suggest each and every element of claim 30, therefore, claim 30 is also novel, nonobvious, and is in a condition for allowance. Since claim 31 depends from claim 30, it is also novel, nonobvious, and is in a condition for allowance for at least the same reasons.

Claim 32 recites the limitation of deploying a staircase within a stowage unit. The stairway 18 of Johnson is not deployable, but is rather fixed within a main deck and is within the overhead stowage area. The stair portion of Sprenger is also deployable within a main deck and not within a stowage area or stowage unit. An example of such claimed deployment is provided in Figure 1A of the present application in which the staircase 12 is deployable within the stowage monument or unit 7. Thus, Johnson and Sprenger also fail to teach or

U.S.S.N. 10/708,810

11

04-0072 (BOE 0477 PA)

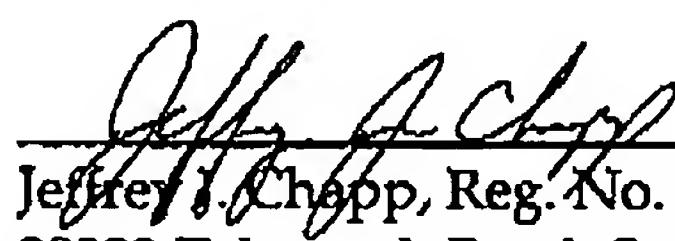
suggest each and every element of claim 32, therefore, claim 32 is also novel, nonobvious, and is in a condition for allowance. Since claims 33-36 depend from claim 32, they are also novel, nonobvious, and are in a condition for allowance for at least the same reasons.

Claim 37 recites the limitations of a staircase system comprising a stowage module. Neither the stairway 18 of Johnson nor the stair portion 81 of Sprenger includes a stowage module. Although Johnson discloses an overhead stowage area, the stowage area is not part of the stairway 18. Thus, Johnson and Sprenger also fail to teach or suggest each and every element of claim 37, therefore, claim 37 is also novel, nonobvious, and is in a condition for allowance. Since claims 38-40 depend from claim 37, they are also novel, nonobvious, and are in a condition for allowance for at least the same reasons.

In light of the amendments and remarks, Applicant submits that all the rejections are now overcome. The Applicant has added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

ARTZ & ARTZ, P.C.



Jeffrey J. Chapp, Reg. No. 50,579
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500

Dated: March 29, 2005